

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 08-cr-20484
Paul D. Borman
United States District Judge

D-1 ANDRE CLIFTON WILLIAMS,

Defendant.

ORDER DENYING DEFENDANT'S MOTION FOR RECONSIDERATION

Before the Court is Defendant's Motion for Reconsideration. (Dkt. No. 17.) On September 26, 2008, Defendant pled guilty to being a felon in possession of a firearm in violation of 18 U.S.C. § 922(g). This Court entered final judgment against Defendant on December 10, 2008. (Dkt. No. 16.) Defendant filed the instant Motion for Reconsideration on December 28, 2009.

"[A] motion for reconsideration or rehearing of a final judgment in a criminal case must be filed within the period provided by Fed. R. App. P. 4(b)(1) unless the local rules of the district court provide otherwise. Effectively, this means that criminal defendants must file such motions within ten days of the judgment entry, Fed. R. App. P. 4(b)(1)(A)(i), and the government must file such motions within thirty days. Fed. R. App. P. 4(b)(1)(B)(i)."¹ *United States of America v. Correa-Gomez*, 328 F.3d 297, 299 (6th Cir. 2003).

Defendant's motion, filed on December 28, 2009, is therefore untimely. Accordingly,

¹ E.D. Mich. L.R. 7.1(g)(1) requires that a motion for reconsideration be filed within 10 days (14 days effective December 1, 2009) after entry of the judgment or order from which appeal is taken.

Defendant's Motion for Reconsideration is **DENIED**.

IT IS SO ORDERED.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: February 12, 2010

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on February 12, 2010.

s/Denise Goodine
Case Manager